# TABLE OF CONTENTS
## SH2251372

# Los Angeles County Sheriff's Department
# Officer Involved Shooting



| Report Date: | Bureau/Station/Facility: | Admin. Invest.? ☐ | Hit? ☒ |
|---|---|---|---|
| 09-19-09 | O.S.S./Century Station | | |

## Incident Information

| URN: 009-18325-2117-055 | Date: 09-19-10 | Time: 1911 hrs. |
|---|---|---|

City or Station: Lynwood

Location: [redacted] Banning Street

Nature of Incident: The deputies attempted to contact the subject regarding a jaywalking violation. The subject fled. The deputies drove around the corner and again saw the subject. The subject brandished a firearm and pointed it at the deputies. Deputy Vargas fired 4 rounds and Deputy Campos fired one round at the subject, striking him in the upper torso.

**Location Type** (*circle one or more*):
Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **Street** (circled), Other: ______

**Lighting** (*circle only one*):
Darkness, **Daylight** (circled), Other, Street Lights

**Weather** (*circle only one*):
**Clear** (circled), Cloudy, Fog, Rain

Distance: 20 feet

**Incident Type** (*circle one or more*):
Accidental, **Armed Person** (circled), Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Other: ______

**Initiated by** (*circle only one*):
Arrest Warrant, Call, **Observation** (circled), One Person Unit, Other, Search Warrant, Two Person Unit

**Prior Activity** (*circle only one*):
Detective, Inmate Transport, Other, **Routine Patrol** (circled)

Total # of Shots Fired by Deputy: 5

Total # of Shots Fired by Suspect: 0

Aero Unit? ☒ Canine Unit? ☐

## Employee Witnesses

| Employee # | Last Name | First Name | M.I. | ShiftTime (*circle only one*): | ShiftType (*circle only one*): |
|---|---|---|---|---|---|
| | | | | EM PM Day | Regular Overtime Off Duty |
| | | | | EM PM Day | Regular Overtime Off Duty |
| | | | | EM PM Day | Regular Overtime Off Duty |

## Non-Employee Witnesses

| Last Name | [redacted] | First Name | [redacted] | M.I. | [redacted] |
|---|---|---|---|---|---|
| Street Address | [redacted] | City | [redacted] | Zip Code / Work Ph / Home Ph | [redacted] |
| Last Name | [redacted] | First Name | [redacted] | M.I. | [redacted] |
| Street Address | [redacted] | City | [redacted] | Zip Code / Work Ph / Home Ph | [redacted] |
| Last Name | [redacted] | First Name | [redacted] | M.I. | [redacted] |
| Street Address | [redacted] | City | [redacted] | Zip Code / Work Ph / Home Ph | [redacted] |

## Supervisors

| Employee # | Last Name | First Name | M.I. | (*circle one or more*): |
|---|---|---|---|---|
| [redacted] | Maradiaga | Richard | | **On Duty** (circled), Present during shooting, Witness to shooting, Involved in shooting |
| | | | | On Duty, Present during shooting, Witness to shooting, Involved in shooting |

## Watch Sergeant

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| | | | |

## Watch Commander

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Miranda | Crystal | |

**PSTD Use Only**

SH # ______________

# Officer Involved Shooting

URN: 009-18325-2117-055



**Rollout Information**

| Arrival Date | Arrival Time | Date Submitted | Date of Recommendation |
|---|---|---|---|
| 09-19-09 | 1930 | 09-21-09 | |

| Employee # | Last Name | First Name | M.I |
|---|---|---|---|
| [redacted] | Haynes | Laura | |
| [redacted] | Hill | Scott | |
| [redacted] | Brickert | Scott | |

**Shooting / Force Information**

## Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

## Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

## Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious

(RM) Refused Med Treatment

(NN) NONE

## Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

## Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

## FORCE APPLIED *(one code per block)*

| Used By (E# or S#) | Used Against (E# or S#) | Method (Code) | Brand (Code) | Caliber (Code) | Authorized Weapon? (Y/N) | Authorized Ammunition? (Y/N) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|---|---|
| SJ#1 | E#1 | FH | | | | | NN | NN |
| E#1 | SJ#1 | FH | HK | 45 | Y | Y | GS | AD |
| E#2 | SJ#1 | FH | HK | 45 | Y | Y | GS | AR |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

# Officer Involved Shooting
# Involved Employee Information

URN: 009-18325-2117-055



**Involved Employee**

**E 1**

| | | | |
|---|---|---|---|
| Employee # [redacted] | Last Name: Vargas | First Name: Steven | M.I. |
| Sex: M Race: H | Rank: Deputy | Unit Assignment: O.S.S. | Work Assignment (Unit #, Module, etc.): G26 |
| ShiftTime (*circle only one*): EM (PM) Day | ShiftType (*circle only one*): (Regular) Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case #  Interviewed? ☐ |
| Hrs of sleep prior to shooting: 10 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): Plain Clothes no Vest, (Raid Jacket w/ Vest), Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors: |
| Age: [redacted] Height: 5'-11" | Weight: 225 | | |
| Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted] | |
| Certified with Weapon Used [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] Number of Prior Shootings [redacted] |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |

**E 2**

| | | | |
|---|---|---|---|
| Employee # [redacted] | Last Name: Campos | First Name: Marcello | M.I. |
| Sex: M Race: H | Rank: Deputy | Unit Assignment: O.S.S. | Work Assignment (Unit #, Module, etc.): G26 |
| ShiftTime (*circle only one*): EM (PM) Day | ShiftType (*circle only one*): (Regular) Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case #  Interviewed? ☐ |
| Hrs of sleep prior to shooting: 8 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): Plain Clothes no Vest, (Raid Jacket w/ Vest), Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors: |
| Age: [redacted] Height: 5'-10" | Weight: 220 | | |
| Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted] | |
| Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [redacted] Number of Prior Shootings: [redacted] |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |

**E __**

| | | | |
|---|---|---|---|
| Employee # | Last Name | First Name | M.I. |
| Sex: Race: | Rank | Unit Assignment: | Work Assignment (Unit #, Module, etc.): |
| ShiftTime (*circle only one*): EM PM Day | ShiftType (*circle only one*): Regular Overtime Off Duty | Intoxication/Drug Usage? ☐ | Substance Used: |
| Hospital Admission? ☐ | Hospital Name: | Coroner Case? ☐ | Coroner Case #  Interviewed? ☐ |
| Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest | Other Factors: |
| Age: Height: | Weight: | | |
| Range Qualification Date: | PPC Qualification Date: | Laser Training Date: | |
| Certified with Weapon Used? ☐ | Patrol Certification? ☐ | Certification Unit: | Prior Shootings? ☐ Number of Prior Shootings: |
| Field Training Officer Emp # | Last Name | First Name | M.I. |
| Field Training Officer Emp # | Last Name | First Name | M.I. |

# Officer Involved Shooting
# Suspect Information

URN: 009-18325-2117-055



## Suspect Information

**S 1**

| | | |
|---|---|---|
| Last Name [redacted] | First Name [redacted] | M.I. [redacted] |
| AKA Last Name | First Name | M.I. |

| | | | |
|---|---|---|---|
| Sex: M Race: B | Street Address: [redacted] | City [redacted] | State & Zip Code: [redacted] |
| Work Phone: [redacted] | Home Phone: [redacted] | Social Security #: [redacted] | Driver's License #: [redacted] |
| Age: 17 D.O.B. [redacted] | Height: 503 Weight: 120 | FBI # [redacted] | CII # [redacted] |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☒ | Coroner Case # 2009-06449 | Intoxication/Drug Usage? ☒ | Substance Used: Marijuana |
| Armed? ☒ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? [redacted] |
| Vehicle Make | | Model: | Year: |

**S ___**

| | | |
|---|---|---|
| Last Name | First Name | M.I. |
| AKA Last Name | First Name | M.I. |

| | | | |
|---|---|---|---|
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

**S ___**

| | | |
|---|---|---|
| Last Name | First Name | M.I. |
| AKA Last Name | First Name | M.I. |

| | | | |
|---|---|---|---|
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

**S ___**

| | | |
|---|---|---|
| Last Name | First Name | M.I. |
| AKA Last Name | First Name | M.I. |

| | | | |
|---|---|---|---|
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |



See Other Side

# SUPPLEMENTAL NON-EMPLOYEE WITNESSES
## Los Angeles County Sheriff's Department



**Non-Employee Witnesses**

| | | | |
|---|---|---|---|
| Last Name [redacted] | First Name [redacted] | | M.I. [redacted] |
| Street Address [redacted] | Zip Code [redacted] | Work Ph [redacted] | Home Ph [redacted] |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |
| Last Name | First Name | | M.I. |
| Street Address | Zip Code | Work Ph | Home Ph |

# IAB INVESTIGATIVE SUMMARY AND TRANSCRIPTS

# COUNTY OF LOS ANGELES
# SHERIFF'S DEPARTMENT

# DEPUTY INVOLVED HIT SHOOTING EVALUATION

**UNIT:** Operation Safe Streets Bureau/ GET Team
**DATE:** September 19, 2009 (Saturday)
**TIME:** 1911 hours
**LOCATION:** [redacted] Banning Street, Lynwood
**URN#:** **009-18325-2117-013**
**IAB#:** **SH2251372**

**NATURE OF INCIDENT:** Deputies Campos and Vargas were driving eastbound on El Segundo Boulevard in their marked black and white vehicle when they saw the subject jaywalk in front of them, northbound across El Segundo Boulevard. The subject apparently made eye contact with the deputies as he suddenly appeared to be startled. He then ran northbound through a park and into Lindbergh Elementary School.

The deputies drove around the school and when they turned westbound onto Banning Street, they saw the subject walking northbound across Banning Street. They stopped their radio car as the subject walked in front of them. They exited their vehicle and ordered him to stop and show them his hands. He ignored their commands and continued crossing northbound and onto the north sidewalk. As he walked westbound on the sidewalk, Deputy Campos drove their vehicle and slowly followed the subject. As he walked on the sidewalk the subject reached towards his waistband. Deputy Vargas walked parallel to their vehicle and gave the subject several verbal commands to stop and to show them his hands. The subject suddenly turned southbound and ran between two vehicles parked along the north curb line. As he re-entered the street he faced their vehicle and pointed a handgun directly at Deputy Campos. Deputy Campos quickly exited their vehicle, and both deputies, fearing for their safety, fired at the subject, striking him.

Subject [redacted] sustained multiple gunshot wounds to the torso. He was transported to Saint Francis Medical Center where he was pronounced dead.

A loaded "RG" .22 caliber revolver was recovered adjacent to the subject's body. The revolver was loaded with six live rounds.

Deputies Campos and Vargas were uninjured.

The subject was identified as a "Palm and Oak Crip" gang member.

## INVOLVED PERSONNEL:

**Campos, Marcello**- Deputy, Employee #[redacted]
O.S.S. / GET
Unit # G26
Field Operations Region II

### EMPLOYEE'S WORK HISTORY:

Date of Employment: 04-98
Date Assigned to OSS: 07-07 to Present
Prior Shooting Incident(s):[redacted]
Prior Founded Force Incidents:[redacted]

**Vargas, Steven**- Deputy, Employee #[redacted]
O.S.S. / GET
Unit # G-26
Field Operations Region II

### EMPLOYEE'S WORK HISTORY:

Date of Employment: 09-99
Date Assigned to OSS: 04-08 to Present
Prior Shooting Incident(s):[redacted]
Prior Founded Force Incidents:[redacted]

## INVOLVED SUSPECT:



[redacted]
MB/[redacted]
Main #[redacted]
CII #[redacted]
FBI #[redacted]
"Palm and Oak" Crip gang member.

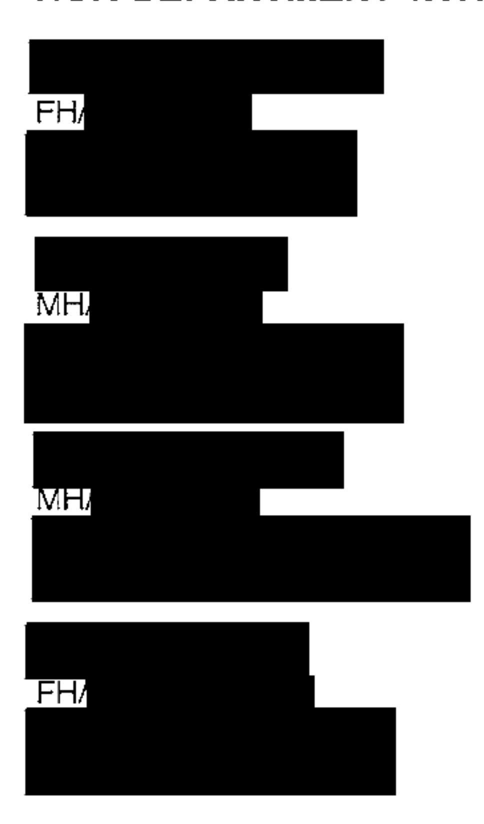
**Involved Suspect Criminal History:**

[redacted]

## INVOLVED DEPUTY WITNESSES:

**None**

## NON-DEPARTMENT WITNESSES:



[redacted]
FH/[redacted]

[redacted]
MH/[redacted]

[redacted]
MH/[redacted]

[redacted]
FH/[redacted]

## INVOLVED EMPLOYEE STATEMENTS:

***Deputy Marcello Campos,*** was interviewed on April 8, 2010 by Sergeants Albert Maldonado and Scott Hill. The interview was conducted at the Internal Affairs Bureau office in the City of Commerce. The following is a summary of the interview.

Deputy Campos said this was the first time he and Deputy Vargas were partnered together as his regular partner was off on the day of this incident. They didn't know each other well and had not yet had an opportunity to discuss tactics and how they would handle a violent high-risk incident. They did discuss, however, not splitting as partners if they became involved in a foot pursuit.

He said when they first encountered the subject on El Segundo Boulevard he

immediately recognized him from prior contacts. He said the subject was a "Palm and Oak" Crip gang member in which he contacted and filled out a Field Identification Card in the past. He could not recall if he communicated with Deputy Vargas knowing the subject and having prior contacts with him. He did recall, however, the subject had previously been cooperative and he did not see the need to chase him on foot or to put out a radio broadcast when he ran from them. They, instead, continued to patrol around the school (Lindberg Elementary). He said they were not really looking for him but patrolling the neighborhood around the school at a speed of approximately 20-25 miles per hour.

Deputy Campos said when they re-encountered the subject on the north side of the school, they saw him cross northbound on Banning Street and onto the north sidewalk. They saw him walk westbound on the sidewalk in an apparent attempt to continue fleeing from them. He noted the subject appeared to be out of breath as he contiued to walk fast-paced away from them. He said as he crossed the street in front of them they exited their vehicle and ordered him to stop and show them his hands. He ignored them and continued to walk away from them. Deputy Campos said he re-entered his vehicle and followed the subject as he continued to walk away from them. Deputy Vargas remained outside of their vehicle and walked parallel to it as they continued to follow the subject who was walking westbound on the sidewalk.

**I.A.B. Note: Deputy Campos specifically remembers the subject walking westbound on the sidewalk. When we later told him his partner (Deputy Vargas) recalls the subject walking in the street and not the sidewalk, he said he definitely recalls the subject walking on the sidewalk. He even recalls only being able to see the upper portion of the subject's body as he walked behind some vehicles parked along the north curb line of the street.**

Deputy Campos said he recalls the subject walking on the sidewalk and then turning southbound in between two vehicles. The subject suddenly emerged from between the two vehicles and was facing their vehicle and pointing a handgun with his right hand directly at him. Deputy Vargas immediately yelled "Gun" and fearing for his life he (Campos) immediately stopped his vehicle and using his car door as cover, fired one round from his handgun at him. He was aware Deputy Vargas also fired his handgun but was not aware of how many rounds he (Vargas ) fired. He is not sure who fired their handgun first. He said the subject immediately went to the ground and he did not feel it was necessary to fire additional rounds. He said he was also aware his back ground was some parked cars and a brick wall. He did not see any pedestrians in the area.

Deputy Campos said they continued to hold the subject at gunpoint and immediately put out a radio broadcast. They could see the subject's handgun on the ground near his feet. They approached the subject, handcuffed him and awaited the arrival of paramedics.

**I.A.B. Note: This interview as well as the Homicide Bureau interview conducted on 09-19-09 were digitally recorded. The transcripts of both interviews are included in Exhibit B.**

***Deputy Steven Vargas,*** was interviewed on April 8, 2010 by Sergeants Albert Maldonado and Scott Hill. The interview was conducted at the Internal Affairs Bureau office in the City of Commerce. The following is a summary of the interview.

Deputy Vargas said when he and Deputy Campos, who were working together for the first time, initially tried to stop the subject on El Segundo Boulevard, their only intention was to detain and possibly issue him a citation for jaywalking. When he began to run from them they did not see the need to chase him on foot or to put out a radio broadcast. He did add, however, they started making their way around the school in an effort to possibly recontact the subject. He said they traveled around the school at a speed of approximately 25 miles per hour. When they turned onto Banning Street, they again saw the subject.

Deputy Vargas said he saw the subject emerge from a back yard on the south side of the street, and cross the street (north bound) directly in front of them. As he crossed, they stopped their vehicle and ordered him to stop. He ignored their commands and continued walking westbound on the north side of the street. Deputy Vargas said he exited the vehicle and began walking, parallel to the car, behind the subject. He said as he walked he continued to give the subject verbal commands to stop and show them his hands. He said he was approximately 10 feet behind the subject with his handgun drawn as they followed him. Deputy Vargas noted the subject appeared to be out of breath and continually reach towards his waistband as he walked. He said he felt at this point the subject was possibly armed and he (Vargas) began to look for cover. He said he considered the cars parked in the street to the north of him if the subject did in fact brandish a weapon at them. Even though he didn't have immediate cover, he said he felt his position gave him a tactical advantage if the subject turned and brandished a weapon at them.

Deputy Vargas said as he walked behind the subject, he (the subject) suddenly stopped and turned towards them. Deputy Campos simultaneously stopped their vehicle and began to exit. He said at that moment he noticed the subject was pointing a handgun with his right hand at Deputy Campos. He described the subject as standing facing westbound and turning to his left, with his head looking over his left shoulder and pointing a handgun with his right hand at Deputy Campos. He immediately yelled "Gun" to Deputy Campos and fearing for Deputy Campos's life, fired five rounds from his handgun at the subject. He said he was aware Deputy Campos also fired his handgun but he did not know, at the time, how many rounds he fired. He said he stopped firing his handgun because the subject immediately went to the ground. Once the subject was on the ground they immediately initiated a broadcast that they were involved in a shooting and requested paramedics to respond.

He said upon doing so they approached the subject, handcuffed him and awaited the arrival of the paramedics.

**I.A.B. Note: Deputy Vargas said he was adamant the subject walked in the street and never made it to the north sidewalk. When we pointed out to him this account varies from Deputy Campos's account, he said he was positive the subject walked in the street and could not recall the subject emerging from the sidewalk between two parked cars.**

**It should be noted that two of the witnesses in this case [redacted] and [redacted] were interviewed by our Homicide investigators the night of the incident. Both witnesses recall the subject jogging slowly on the north sidewalk as the deputies followed closely behind. They recall the subject reaching towards his waistband as he jogged and ignoring the deputies verbal commands to stop and show them his hands. As the subject walked away from the deputies he looked back over his shoulder at them and moved his hands towards his waistband several times. Witness [redacted] also recalls the subject moving between two vehicles parked along the north curb line and facing the deputies who were following behind him. He said he could not see the subject's hands from where he was standing and he doesn't know if he was armed. It was at this time the deputies fired several rounds at him (the subject).**

Deputy Vargas said he was aware his backdrop was several parked vehicles and a brick wall when he fired his handgun at the subject. He also said he did not see any pedestrians in the area.

**I.A.B. Note: These interview were digitally recorded and the transcripts are included in this case.**

## SUSPECT'S STATEMENTS:

None

## NON-DEPARTMENT WITNESS STATEMENTS:

Refer to the transcripts of the Homicide Bureau interviews conducted by Investigators James Charles and Boyd Zumwalt on 03-11-09 **(Exhibit B).**

## SUSPECT'S INJURIES:

Gun shot wound to the abdomen, right arm, left arm and back.

## DEPUTY PERSONNEL INJURIES:

None

**PHYSICAL EVIDENCE:**

See homicide case book **(Exhibit A).**

**INVESTIGATORS OBSERVATIONS:**

No observations.

**WEAPONS USED BY DEPUTY PERSONNEL:**

Heckler and Koch USP .45 Caliber semi-automatic pistol.

**WEAPON USED BY SUSPECT:**

(10) RG, Model RG14S, .22 Long Rifle Caliber double action revolver.

**PROPERTY DAMAGE:**

One bullet hole in the left rear tire of a 2001 white Honda Accoord License #[redacted]

**CRIMINAL INVESTIGATOR and CHARGES FILED:**

**Investigator:** Detective James Charles #[redacted]
Detective Boyd Zumwalt #[redacted]

**Charges Filed:** None

**WEATHER CONDITIONS AND LIGHTING CONDITIONS:**

The incident occurred during the hours of daylight.




# LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
## BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
## JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
JOHN K. SPILLANE • Chief Deputy District Attorney
CURTIS A. HAZELL • Assistant District Attorney

JANICE L. MAURIZI • Director


May 4, 2010

Captain David Smith
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

RE: J.S.I.D. File #: 09-0584
L.A.S.D. URN #: 009-18325-2117-013

Dear Captain Smith:

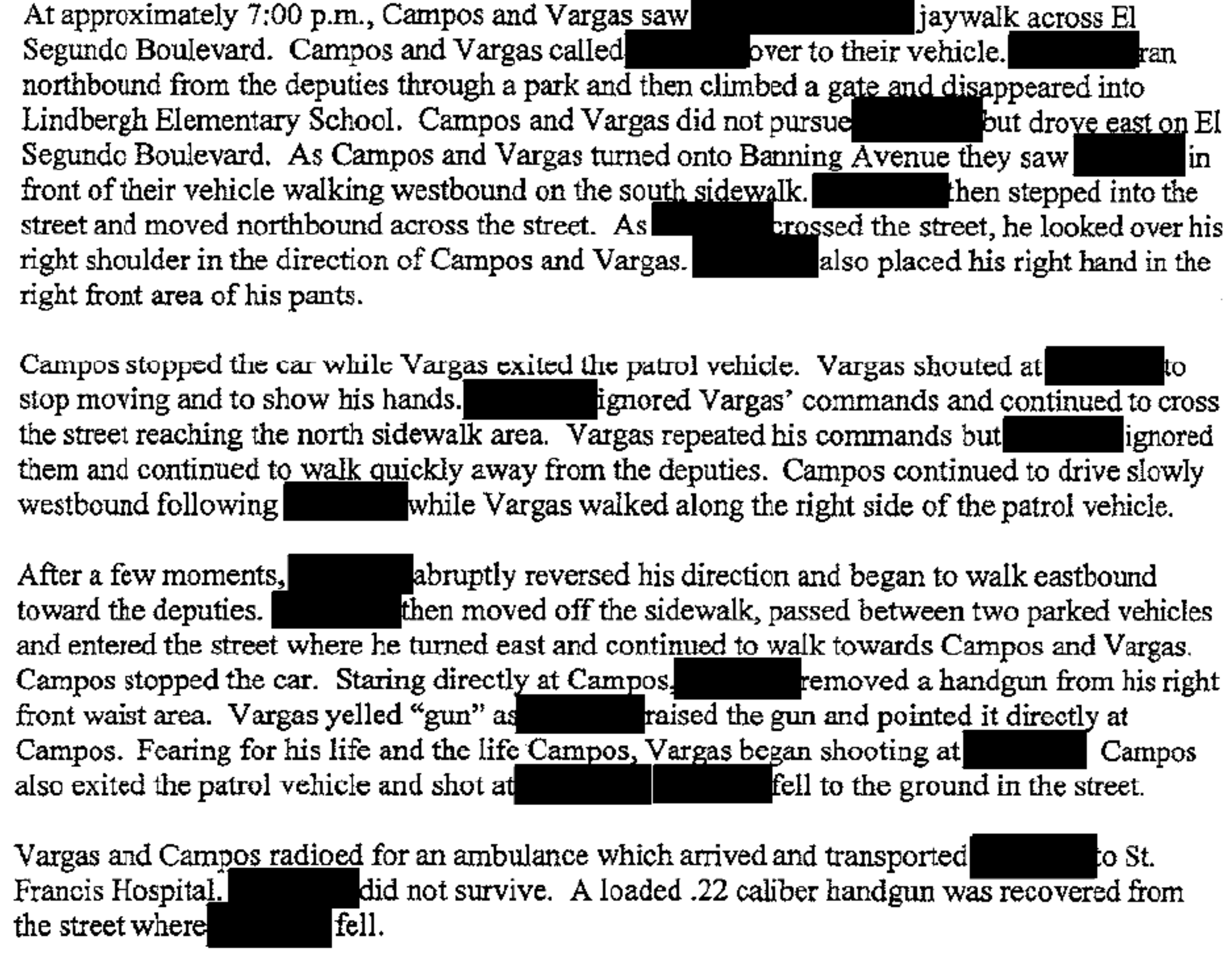
The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the September 19, 2009, fatal shooting of [redacted] by Los Angeles County Sheriff's (LASD) Deputies Marcelo Campos and Steven Vargas. We have determined that theses officers acted lawfully in self-defense and in the defense of each other.

The following analysis is based upon a series of reports prepared by the LASD submitted to this office on February 11, 2010. The District Attorney Command Center was notified of this shooting at 8:18 p.m. on September 19, 2009. The District Attorney Response Team, consisting of Deputy District Attorney Shannon Presby and District Attorney Senior Investigator [redacted] responded to the scene. They were given a briefing of the circumstances surrounding the incident and a "walk-through" of the shooting scene. Presby and [redacted] also participated in witnesses interviews. No compelled statements were considered for purposes of this analysis.

## FACTUAL ANALYSIS

In the evening of September 19, 2009, Deputies Campos and Vargas were on duty assigned to the Operation Safe Streets (OSS) gang enforcement team. Both deputies were in full uniform and were using a marked LASD vehicle to carry out their patrol. Campos was driving and Vargas was riding in the right front passenger seat.


Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Los Angeles, CA 90012-3210
(213) 974-3888
WEBSITE: http://da.co.la.ca.us



At approximately 7:00 p.m., Campos and Vargas saw [redacted] jaywalk across El Segundo Boulevard. Campos and Vargas called [redacted] over to their vehicle. [redacted] ran northbound from the deputies through a park and then climbed a gate and disappeared into Lindbergh Elementary School. Campos and Vargas did not pursue [redacted] but drove east on El Segundo Boulevard. As Campos and Vargas turned onto Banning Avenue they saw [redacted] in front of their vehicle walking westbound on the south sidewalk. [redacted] then stepped into the street and moved northbound across the street. As [redacted] crossed the street, he looked over his right shoulder in the direction of Campos and Vargas. [redacted] also placed his right hand in the right front area of his pants.

Campos stopped the car while Vargas exited the patrol vehicle. Vargas shouted at [redacted] to stop moving and to show his hands. [redacted] ignored Vargas' commands and continued to cross the street reaching the north sidewalk area. Vargas repeated his commands but [redacted] ignored them and continued to walk quickly away from the deputies. Campos continued to drive slowly westbound following [redacted] while Vargas walked along the right side of the patrol vehicle.

After a few moments, [redacted] abruptly reversed his direction and began to walk eastbound toward the deputies. [redacted] then moved off the sidewalk, passed between two parked vehicles and entered the street where he turned east and continued to walk towards Campos and Vargas. Campos stopped the car. Staring directly at Campos, [redacted] removed a handgun from his right front waist area. Vargas yelled "gun" as [redacted] raised the gun and pointed it directly at Campos. Fearing for his life and the life Campos, Vargas began shooting at [redacted] Campos also exited the patrol vehicle and shot at [redacted] fell to the ground in the street.

Vargas and Campos radioed for an ambulance which arrived and transported [redacted] to St. Francis Hospital. [redacted] did not survive. A loaded .22 caliber handgun was recovered from the street where [redacted] fell.

## LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears that the person claiming the right of self-defense actually and reasonably believed that he, or the person defended, was in imminent danger of great bodily injury or death. People v. Randle (2005) 35 Cal. 4th 987, 994; People v. Mercer (1962) 210 Cal.App.2d 153, 161.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent imminent injury. CALCRIM 3470.

Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing

because he might have resorted to other means to secure his safety. People v. Collins (1961) 189 Cal.App.2d 575.

**CONCLUSION**

[redacted] fled from Deputies Campos and Vargas when they first attempted to contact him. A short time later, Campos and Vargas saw [redacted] again and Vargas ordered [redacted] to stop and show his hands. Ignoring those commands, [redacted] walked away from the deputies then abruptly reversed his direction and began walking directly toward the deputies. Simultaneously [redacted] produced a loaded handgun from his person and pointed it at Campos. Fearing that they were about to be killed, Vargas and Campos responded with deadly force.

We find that LASD Deputies Marcelo Campos and Steven Vargas acted lawfully in self-defense and in the defense of each other when they shot [redacted] We are closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

SHANNON PRESBY
Deputy District Attorney
(213) 974-3888

c: Deputy Marcelo Campos, Serial # [redacted]
Deputy Steven Vargas, Serial # [redacted]